

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1623

Examiner: Anita Johnson

In re Application of: Layton Bioscience, Inc.

Serial No. 10/009,036

Filed: September 30, 2002

For: CELL THERAPY FOR CHRONIC STROKE

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Commissioner of Patents, Box PCT, USPTO Washington, D.C. 20231 on March 5, 2003 Signed Tamara Charland  
Tamara Charland

**PETITION TO CORRECT  
INCONSISTANCY IN APPLICATION**

Commissioner of Patents, Box PCT  
USPTO  
Washington, D.C. 20231

RECEIVED

MAR 13 2003

TECH CENTER 1600/2900

Sir:

The applicant respectfully requests to correct an inconsistency noted by the USPTO on the Official Filing Receipt mailed to the applicant on January 22, 2003. The application was filed under 35 U.S.C. § 371 and 37 CFR § 1.495 and not filed pursuant to 37 U.S.C. § 371 and 37 CFR § 1.495 as stated in the application. Enclosed are copies of the Official Filing Receipt with the notation of the inconsistency and a copy of page one of the original transmittal letter with the inconsistency highlighted.

Dated: March 5, 2003

Sierra Patent Group, Ltd.  
P.O. Box 6149  
Stateline, NV 89449  
(775) 586-9500

Respectfully submitted,

Barbara J. Luther

Barbara J. Luther  
Reg. No. 33,954

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. (Not yet assigned)

Filed: 29 October 2001

Based on PCT/Int'l. App.: PCT/US00/06912 Int'l. Filing Date: 16 March 2000

In re Application of: Layton Bioscience, Inc.

For: CELL THERAPY FOR CHRONIC STROKE

Certificate of Express Mailing

*I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mailing Label No. EL 889016187US, in an envelope addressed to Director of Patents, Box Patent Application, Washington, D.C. 20231*

*on 29 Oct. 2001, Signed Tamara Charland*  
Tamara Charland

TRANSMITTAL LETTER

Director of Patents  
Box Patent Application  
Washington, D.C. 20231

Sir:

This patent application is filed pursuant to 37 U.S.C. §371 and 37 C.F.R. §1.495. The United States was timely specified as an Elected Country in the PCT patent application PCT/US00/06912 and the priority of this PCT patent application is hereby claimed.

Enclosed for filing please find a patent application for an invention entitled, "CELL THERAPY FOR CHRONIC STROKE", filed on behalf of Layton Bioscience, Inc., a Small Entity, and Assignee from Inventors Paul R. Sanberg, Douglas Kondziolka, Michael P. McGrogan, Gary L. Snable all United States Citizens,:

1. Application consisting of: 17 pages of specification, 2 pages of 17 claims, 1 sheet of drawing figures, and 1 page of Abstract.;
2. Copy of International Application Published Under the PCT

The Attorney's Docket Number is LAY-014US.

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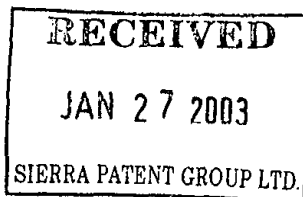


UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

Commissioner for Patents  
Washington, DC 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/009,036	09/30/2002	1623	645	LAY-014US	1	17	8

28661  
SIERRA PATENT GROUP, LTD.  
P O BOX 6149  
STATELINE, NV 89449



CONFIRMATION NO. 5509

**FILING RECEIPT**



\*OC000000009402609\*

Date Mailed: 01/22/2003

*CPV*

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Paul R. Sanberg, Springhill, FL;  
Douglas Kondziolka, Pittsburgh, PA;  
Michael P. McGrogan, San Carlos, CA;  
Gary L. Snable, Atherton, CA;

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/US00/06912 03/16/2000 \*  
(\*Data provided by applicant is not consistent with PTO records.

**Foreign Applications**

**Projected Publication Date:** 05/01/2003

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Cell therapy for chronic stroke